

03560.002364.1



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
: Examiner: D. Zarneke
TATSUYA IWASAKI et al.)
: Group Art Unit: 2827
Application No.: 09/867,611)
: Filed: May 31, 2001)
: For: NANOSTRUCTURE,)
ELECTRON EMITTING)
DEVICE, CARBON)
NANOTUBE DEVICE, AND)
METHOD OF PRODUCING)
THE SAME : Date: August 26, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR INITIALED FORM PTO-1449
AND SUBMISSION OF ENGLISH TRANSLATION

Sir:

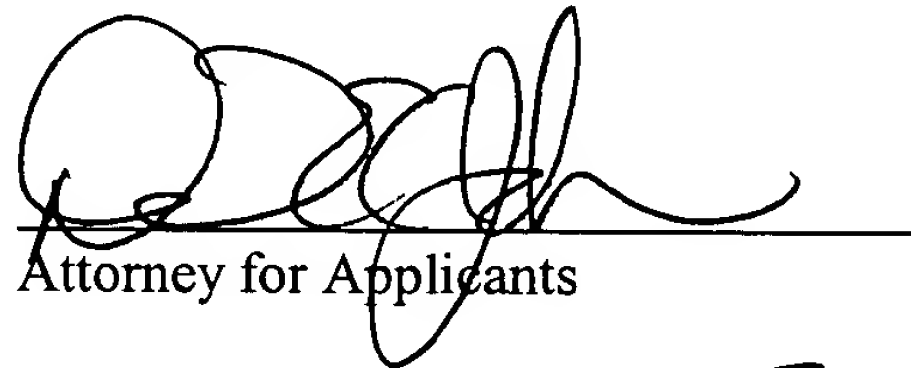
Applicants have received a Notice Of Allowance that does not mention the Information Disclosure Statement dated April 3, 2003 in the above-identified application. A copy is attached together with the stamped postcard that confirms filing on April 3, 2003.

Applicants hereby request that the Examiner initial and return to Applicants' undersigned attorney the Form PTO-1449 that was attached thereto, to indicate that the references cited in the Information Disclosure Statement have been considered by the Examiner and made formally of record.

Additionally submitted herewith for the Examiner's consideration is a full English translation of Japan 10-12124, which was cited in the Information Disclosure Statement.

Applicants' undersigned attorney may be reached in our Costa Mesa, CA office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Attorney for Applicants

Registration No. 50325

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-2200
Facsimile: (212) 218-2200

CA_MAIN 65346 v 1



COPY

Commissioner for Patents
Washington, D.C. 20231

Date 4 / 3 / 03
Mo. Day Yr.

Atty. Docket 03560-602341

Application No. 09/867,611

Sir:

Kindly acknowledge receipt of the accompanying:

- ☐ Response to Official Action. _____
- ☐ Check for \$ _____ (claims fee)
- ☐ Petition under 37 CFR 1.136 and Check for \$ _____
- ☐ Notice of Appeal and Check for \$ _____
- ☒ Information Disclosure Statement, PTO-1449 and _____ documents
- ☐ Claim for priority and certified copies of _____ applications
- ☐ Issue fee transmittal and Check for \$ _____
- ☒ Other (specify) Search Report

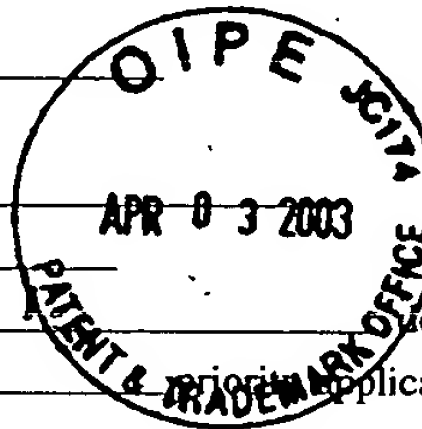
by placing your receiving date stamp hereon and returning to deliverer.

Atty. MEK/cmv

Due Date N, D, D
Mo. Day Yr.

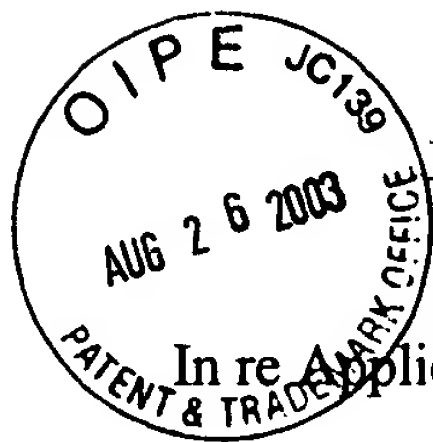
By Hand

FOHS-D-00



03560.002364.1 (35.G2364 DI)

PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Tatsuya IWASAKI, et al.

Application No.: 09/867,611

Filed: May 31, 2001

For: NANOSTRUCTURE, ELECTRON
EMITTING DEVICE, CARBON
NANOTUBE DEVICE, AND
METHOD OF PRODUCING THE
SAME

)
:
Examiner: D. A. Zarneke

)
:
Group Art Unit: 2827

)
:
April 3, 2003

COPY

Commissioner for Patents
Washington, D.C. 20231

THIRD INFORMATION DISCLOSURE STATEMENT

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the document listed on the enclosed Form PTO-1449. A copy of the listed document is also enclosed.

The listed document was cited in Search Report dated February 28, 2003, in a corresponding European application and may be relevant for the reasons noted therein. A copy of the Search Report, as well as an English language abstract of the cited document, are also enclosed.

COPY

STATEMENT UNDER 37 C.F.R. § 1.97(e)

Each item of information in this information disclosure statement was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing date of this Statement. Accordingly, no fee is believed to be required for consideration of this Information Disclosure Statement. However, the Commissioner is hereby authorized to charge any fee which may be required in connection with this paper to Deposit Account No. 06-1205. A duplicate of this paper is enclosed for that purpose.

CONCLUSION

It is respectfully requested that the above information be considered by the Examiner and that the enclosed Form PTO-1449 be returned with the next official communication indicating that such information has been considered.

COPY

COPY

COPY

Applicants' undersigned attorney may be reached in our Washington, D.C.
office by telephone at (202) 530-1010. All correspondence should continue to be directed
to our below-listed address.

Respectfully submitted,

Michael E. Kondoudis

Attorney for Applicants

Michael E. Kondoudis

Registration No. 42,758

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
MEK/cmv
DC_MAIN 126872 v 1

COPY

COPY

COPY

COPY

FORM PTO 1449 (modified)		ATTY DOCKET NO. 03560.002364.1 (35.G2364 DI)		APPLICATION NO. 09/867,611		
U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		APPLICANT Tatsuya IWASAKI, et al.				
LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)		FILING DATE May 31, 2001			GROUP 2827	
Date Submitted to the PTO: April 3, 2003						
U.S. PATENT DOCUMENTS						
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	FILING DATE IF APPROPRIATE
FOREIGN PATENT DOCUMENTS						
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	TRANSLATION YES/NO/ OR ABSTRACT
		JP 10-12124	01/1998	Japan		Abstract
OTHER DOCUMENT(S) (including Author, Title, Date, Pertinent Pages, Etc.)						
EXAMINER				DATE CONSIDERED		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

COPY COPY